

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RAY L. LINEWEBER,

Defendant.

**4:13CR3135**

**ORDER**

Defendant's retained counsel, Jeffrey A. Gaertig, has represented the defendant in this case since November 20, 2013, and trial is scheduled for January 20, 2015. Defense counsel has moved to be either withdraw or be appointed under the Criminal Justice Act. Filing No. 44. Based on defendant's financial affidavit of record, (filing no. 44-1), the defendant is eligible for appointed counsel at this time. However, depending on the outcome of a separate civil dispute, the defendant may be able to pay counsel in the future.

Accordingly,

IT IS ORDERED:

- 1) Defense counsel motion to withdraw is denied, but his alternative request to be appointed under the CJA, (filing no. 44), is granted.
- 2) Since this case is approaching final disposition, to avoid interruption and delay, and to provide continuity in defendant's representation, the court hereby appoints Jeffrey A. Gaertig as counsel for the defendant pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A(f).
- 3) The Clerk of the court shall provide a copy of this memorandum and order to David Stickman, Federal Public Defender. David Stickman shall provide Jeffrey A. Gaertig with the appropriate CJA voucher.

December 23, 2014.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge